

REMARKS

This is in response to the Office Action mailed April 21, 2005. By this Amendment, the specification has been amended in various locations to satisfy the Examiner's objections and claims 1 and 6 have been amended. Claims 2 and 11 have been cancelled and claims 15 and 16 have been added. Thus, claims 1, 3-10, and 12-16 remain in the application for further examination. Claims 1 and 6 are in independent form.

Turning to the Office Action, the Examiner objected to claims 1-14 for various alleged informalities. The Examiner objected to the specification as failing to provide proper antecedent basis for certain of the claimed terminology. The amendment to the patent specification is clearly intended to provide such antecedent basis. For example, turning to the Examiner's objection, the "upper edge portion" is numeral 34, the "upper pocket" is numeral 62, the "lower pocket" is numeral 64, and the "terminal tip" is numeral 54a. The lower edge portion front face and rear face have been included in the amendment to the specification. It is not known what objection the Examiner makes by referring to the "spaced second part" of the sign holder. In any event, it is respectfully submitted that all elements set forth in the patent claims are fully supported by the specification and the antecedent basis would be clear to a person of ordinary skill in the art.

The Examiner has rejected claims 1-14 under 35 U.S.C. §112. The Examiner states that it is unclear if the claims are directed to just the label holder or the combination of the label holder and C-channel. Reconsideration is requested. It is clear that claims 1-5 are directed to an improved label holder, whereas claims 6-14 are directed to the combination of the label holder and C-channel. A clear line of distinction between the two sets of claims is provided and it is respectfully submitted that any rejection under §112 should be withdrawn.

Next, the Examiner has rejected claims 1-4 as “anticipated by Gebka et al. (US 5,394,632) in view of Harnois et al. (US 5,419,066)”. It is assumed that the Examiner meant to refer to obviousness under §103, and not anticipation. Similarly, claim 5 was rejected further in view of Lowry et al. (US 6,568,112). Claims 6-14 are based on the same rejection. Reconsideration is respectfully requested.

First, the Gebka et al. patent has been acknowledged as prior art and forms the starting point for the improved label holder arrangement of the present invention. See, for example, the discussion beginning at page 2 of the instant specification and the drawings, Figures 1-6, which are the subject matter of the Gebka patent. The novelty of the present invention resides in the mounting leg which has distinct advantages over the mounting leg of the prior art.

The Examiner has cited the Harnois et al. patent to allegedly show the mounting leg. Harnois et al., however, discloses only a “hooking member 53”, but this is significantly different in structure and operation from that of the present invention.

Independent claims 1 and 6 have been amended to provide further details of the structural differences between the mounting leg of the present invention and that of the prior art. For example, the mounting leg is cited as initially extending upward in a direction toward the upper edge portion of the labelling panel, and then rearwardly away from the rear face of the labelling panel, and then arcuately downwardly and angled inwardly from the arcuate portion in a direction toward the rear face of the labelling panel. No such structure is shown in Harnois et al. In Harnois et al., while there may be a slight arcuate portion, albeit seemingly from the patent

drawings and not specifically described as such in the patent specification, the downwardly extending leg is not angled inwardly in a direction toward the rear face of the labelling panel. Indeed, the downward leg appears substantially parallel to the rear face and, if angled at all, would seem to be angled outwardly. See, for example, Fig. 1 of Harnois et al.

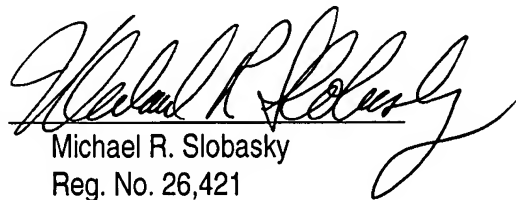
Newly added dependent claims 15 and 16 further recite that the distance between the tip and the rear face of the labelling panel is less than the distance that the arcuate portion extends rearwardly from the rear face of the labelling panel.

Accordingly, it is respectfully submitted that this application is now in condition for allowance. Should the Examiner have any questions after reviewing this Amendment, the Examiner is cordially invited to telephone the undersigned attorneys.

Respectfully submitted,

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